

Application No.: 09/878,319**Docket No.: 10004512-1****RECEIVED**
CENTRAL FAX CENTER**JUL 17 2006****REMARKS**

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested. Entry of this Response Under Rule 116 is merited as it raises no new issues and requires no further search.

Claims 1-10, 12-32, and 35-43 remain pending.

Applicants thank the Examiner for the courtesies extended during an interview held on July 6, 2006. During the interview, the discussion concentrated on claim 29 and the Patent and Trademark Office's assertion that Moran discloses the claimed subject matter at column 32, line 44-column 33, line 62 and column 37, lines 1-7. The Examiner agreed that the cited portion of Moran failed to disclose the claimed subject matter and further that the 35 U.S.C. 102 rejection of claims 29-32 and 35-43 will be withdrawn in view of the instant formal submission by Applicants.

The withdrawal of the rejection under 35 U.S.C. 102 of claims 1-10 and 12-28 is noted with appreciation.

Claims 29-32 and 35-43 are patentable over Moran (U.S. Patent 6,647,400)

The rejection of claims 29-32 and 35-43 under 35 U.S.C. 102(e) as being unpatentable over Moran is hereby traversed in view of the foregoing remarks. Further, as pointed out during the interview, Moran fails to disclose at least "if a directory is specifically excluded and a file in the specifically excluded directory is specifically included the file is monitored." The cited portion of Moran appears to describe comparing the location of files against conventions where changeable files are placed and not to checking specifically included files in specifically excluded directories. Moran at column 33, lines 6-10. In the cited portion, Moran fails to disclose excluding directories and/or files, rather Moran "iterate[s] through the files in the package management database" and compares "the signatures in the database to the signature of the current version of the file." Moran at column 32, lines 49-51. There is no disclosure of excluded directories and/or files. For at least this reason, withdrawal of the rejection of claim 29 is respectfully requested.

Application No.: 09/878,319Docket No.: 10004512-1

Claims 30-32 and 35-43 depend, either directly or indirectly, from claim 29, include further limitations, and are patentable over Moran for at least the reasons advanced above with respect to claim 29. The rejection of claims 30-32 and 35-43 should be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

Mark CROSBIE



Randy A. Noranbrock
Registration No. 42,940

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400
Telephone: 703-684-1111
Facsimile: 970-898-0640
Date: July 17, 2006

RAN:klf